

REMARKS

The Examiner has indicated that several pieces of prior art that could be material to the patentability of the present invention. These are addressed below.

U.S. Patent No. 4,025,851 (“Haselwood”) is directed to an automatic monitor system for programs that are broadcast by network-affiliated broadcasting stations. Haselwood, Abstract. Haselwood discloses a method where remotely-located monitoring sites for “monitoring and storing in a change type of format the program identifying data broadcast by the television stations and for automatically relaying the stored data together with an indication of the time duration of each program to a central location upon interrogation by a computer located at the central location.” *Id.* at col. 1, ll. 62-68. However, Haselwood does not involve a step of receiving or transmitting a first instruction signal nor does it generate or deliver user-specific data upon the reception of this instruction signal as claimed in the present invention.

The Article entitled “An Implementation for a Virtual Machine Monitor to be Realized on User – Microprogrammable Minicomputers” by Shriver et. al. is directed to a “virtual machine monitor” that “allows several difference operating systems to run concurrently on the same machine.” Shriver, Abstract. Specifically, Shriver discloses that the virtual machine monitor can enable hardware diagnostic check out routines that can be run concurrently with several operating systems. *Id.* at 226. Shriver, however, does not disclose a method of generating or delivering user specific programming at a receiver station and/or delivering customized programming at a receiver station as claimed in the present application.

U.S. Patent No. 4,245,244 (“Lijewski”) is directed to a device for delineating zones in a video image display, particularly x-ray images processed in accordance with an image reconstruction algorithm. Lijewski, Abstract. The invention uses trackball positioning data to produce “video picture modulating signals corresponding with the pixels in the matrix to which they positionally relate.” *Id.* In other words, Lijewski discloses a device for “writing on the display screen of a video monitor” that is displaying an x-ray image of a body layer. *Id.* at col. 3, ll. 36-44.

However, Lijewski does not deliver nor generate the display of user specific or customized programming at a receiver station as claimed in the present application. Further, Lijewski does not disclose the presently claimed invention's use of a remote transmitter station to receive data and/or video programming at a receiver station.

U.S. Patent No. 4,138,726 ("Girault") is directed to an airborne arrangement for displaying a moving map and aerial navigation data such as symbols and characters on a video display screen. *See Girault, Abstract.* Specifically, the invention involves superimposing navigation data over a moving map that is generated from film based on the same navigational data. *See Girault at col. 1, ll. 13-17 ("[T]he positioning of the map in the cartesian X and Y directions and the rotational or angular orientation is controlled automatically as a respective function of the longitude, latitude and heading of the aircraft. . . supplied by the navigational system of the aircraft.")* The present invention does not claim such a rudimentary system wherein the video display and accompanying data are wholly and approximately linked to each other. Girault does not involve a step of receiving or transmitting a first instruction signal nor does it generate or deliver user-specific data upon the reception of this instruction signal as claimed in the present invention.

U.S. Patent No. 4,388,637 ("Blair") is directed to a device and method for monitoring a video signal that gives a graphic display of the sync-to-burst phase relationship of a color video signal so that the phase relationship may be adjusted to meet industry standards. *See Blair, Abstract.* Nowhere does Blair disclose delivering or generating the display of user specific or customized programming at a receiver station as claimed in the present application. Further, Blair does not involve a step of receiving or transmitting a first instruction signal nor does it generate or deliver user-specific data upon the reception of this instruction signal as claimed in the present invention.

U.S. Patent No. 4,425,581 ("Schweppe") discloses a system for overlaying a computer generated video signal on an NTSC video signal. *See Schweppe col. 1, ll. 57-60.* In particular, an object of Schweppe is to perform this overlaying so that the signal is placed in a "condition for transmission to a display, such as a monitor." *Id.* at col. 2, ll. 1-2. Nowhere does Schewppe disclose

delivering or generating the display of user specific or customized programming at a receiver station as claimed in the present application. Further, Schewppe does not involve a step of receiving or transmitting a first instruction signal nor does it generate or deliver user-specific data upon the reception of this instruction signal as claimed in the present invention.

SUMMARY OF INTERVIEWS

MAY 4, 2009

The prosecution of this application, along with all but two of Applicants' copending application, was suspended for several years pending the outcome of the appeal of Application Serial Nos. 08/470,571 and 08/487,526 and the reexamination proceedings of seven related patents. Applicants inquired into the status of these applications in January, 2009, as the current six-month suspension period expired. Applicants requested that the suspension of these applications not be renewed. The Office, through Supervisory Examiner David L. Ometz indicated that the suspensions would not be renewed and that prosecution would recommence. Applicants wish to thank Examiner David L. Ometz for the courtesy of the interview held on May 4, 2009 in which Applicants' representatives and the Examiners discussed an overall plan for examination of the remaining 110 applications which relate to this application and have a common chain of priority. Applicants were informed that the Patent and Trademark Office (PTO) was developing a plan to resume examination and that Applicants would be informed when the plan was in place.

JULY 22, 2009

Applicants were informed in July, 2009, that a team of examiners had been assembled to examine Applicants' copending applications. Applicants appreciate the courtesies extended to Applicants' Representatives in a meeting held July 22, 2009, with the examination team. In attendance at the meeting were Thomas J. Scott, Jr. and Carl L. Benson, of Goodwin Procter and the PTO personnel identified on the attached list. Applicants' representatives made a presentation to the Examiners in attendance in accordance with the attached agenda and provided the materials attached hereto to the Examiners for their consideration and use in the further examination of this application and the other application related to this application as identified in Tab 2 of the materials

provided to the Examiners in the meeting. Applicants' representatives agreed to respond to any telephone inquiries or to be present for personal interview at the PTO in any circumstance where the Examiner believed such an interview would advance the prosecution of this application.

NOVEMBER 5, 2009

A personal interview was held with Examiner Brian Q. Le and applicants' representatives on November 5, 2009. During this interview Examiner Le asserted that Haselwood was anticipatory prior art. Applicants' representatives explained the differences between the claimed invention and references such as Haselwood. Examiner Le asserted that particular features of the pending claims relied upon by applicants to avoid the prior art are not supported by the parent specification.

DECEMBER 15, 2009

A personal interview was held with Examiner Brian Q. Le to discuss proposed amendments intended to align the claims more closely with the language in the parent specification. The proposed amendment discussed was substantively identical to the claim amendment made herein. Examiner Le agreed that the claims as amended were supported by the parent specification. However, no agreement was reached regarding patentability over the prior art. Examiner Le presented the references discussed above and maintained that the claims as amended would be unpatentable over such art.

CONCLUSION

In light of the above amendments, each of the claims in this application is patentable in light of the prior art. Accordingly, the Examiner is respectfully requested issue an allowance of this application.

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Respectfully submitted,

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